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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KARTIKA SHETTY, M.D., F.A.C.P.,

Plaintiff,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES, et. al.,

Defendants.

2:20-cv-909-KJD-BNW

STIPULATION AND REQUEST TO
EXTEND DATE FOR FEDERAL
DEFENDANTS TO FILE RESPONSE TO
COMPLAINT
(First Request)

Current Date: July 27, 2020
New Date: October 26, 2020

It is hereby agreed and stipulated by all parties, through their respective counsel, that the due date for the federal defendants to file their response to the complaint (#1) may be extended to October 26, 2020. This is the first request to extend the due date for the defendants' response to the complaint. It is requested the Court approve the requested extension of time based on the following:

1. Plaintiff Shetty filed his complaint (#1) on May 20, 2020. The complaint seeks to challenge the denial of Shetty's petition for an "EB-1" visa which sought classification of Shetty as an alien with extraordinary ability in the field of internal medicine education. *See* Complaint (#1), para. 1.

2. The current deadline for the defendant federal agencies to respond to the complaint is July 27, 2020.

3. Based on the allegations of the complaint, the federal agency (USCIS) responsible for reviewing and evaluating Shetty's visa application and making an eligibility determination thereon desires to issue to Shetty an administrative request for evidence (RFE) for the purpose of soliciting additional information and materials relevant to Shetty's visa application. Following receipt of such information and materials, USCIS will further consider Shetty's eligibility for the visa classification sought by him.

4. The requested extension of time is requested in order to provide time for USCIS to issue the RFE, for Shetty to respond to the RFE with additional information and materials, and for USCIS to further consider Shetty's eligibility for the visa classification sought by him. The time requested also is made in light of furlough notices recently issued to USCIS employees based on an anticipated lapse of appropriated funding for USCIS functions.

Based on the foregoing, the parties request the Court approve the stipulation and the proposed extension of time to October 26, 2020, for the filing of defendants' response to the complaint.

/s/ Daniel Pierce
DANIEL PIERCE, ESQ.
Counsel for Plaintiff

/s/ Greg Addington
GREG ADDINGTON
Assistant United States Attorney
Counsel for Federal Defendants

IT IS SO ORDERED

Date; July 16, 2020


UNITED STATES MAGISTRATE JUDGE